

OCTOBER • 1947

The INTERNATIONAL TEAMSTER



Official Magazine

THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS • CHAUFFEURS • WAREHOUSEMEN & HELPERS OF AMERICA

Less Food is Taft's Answer

CONGRESS has finally become worried about high prices, probably because the prices are eating up the 50 per cent wage increase the members of Congress recently voted for themselves after refusing to raise minimum wages for workers making \$16 a week.

At any rate, a congressional committee is holding hearings to find out why prices are high and going higher.

We told them this would happen if they repealed the OPA. But Congress, under pressure of the big business lobbies, removed controls on prices.

Now prices are soaring as business men fall all over each other scrambling for the last nickel in every pay check. As sales decrease, because of the inability of the consumer to buy at current prices, business raises its prices to offset the drop in sales.

Under present conditions, the food industry is skimming the cream off the retail trade. People must eat. They must continue to buy food, no matter what its price.

But as food prices go higher, people buy less clothing and less merchandise of all types. They just don't have the money.

Under rising clamor from the public for some kind of government action to save them, Congress has begun to fret about food prices. It is listening to all kinds of explanations and all kinds of solutions—except the restoration of federal controls.

Federal controls would work. They are the only thing that would work. No doubt that is why Congress does not consider them.

After watching his colleagues and the public flounder helplessly for many months, Senator Taft has come up with an answer. Taft always has some kind of an answer. Like the Taft-Hartley Act, for instance.

But Taft's solution of high food prices is even worse than his solution of the labor situation, though much more simple.

"Don't eat so much," says Taft. That's all there is to it.

In other words, cut another hole in your belt and if that doesn't help, cut still another. Finally our belts will be as tight as they were in the good old days when Herbert Hoover came up with a similar answer to a similar question.

Hoover said relief of public distress was no concern of the federal government.

Taft now echoes those words. "Let them eat less," he says of millions crying desperately for help as their dollars shrink in value and the prices of food, housing and clothing reach such heights that it is impossible for the average family to satisfy even its minimum requirements.

Taft should remember that a queen of France once callously commented on the hunger of her citizens in a like vein. "Let them eat cake" she quipped, when told they had no bread.

That is why there are no more queens in France.

And let us hope the day will soon come when there are no more Tafts in Congress.

The INTERNATIONAL TEAMSTER



Official Magazine INTERNATIONAL BROTHERHOOD OF TEAMSTERS
CHAUFFEURS . . . WAREHOUSEMEN AND HELPERS

Vol. XLIV

OCTOBER, 1947

Number 11

Teamsters' Union May Be Forced to Leave AFL	2
Report of International Trustees Covering Last 7 Years	4
Financial Report of Secretary-Treasurer John F. English . . .	5
California Governor Lauds Teamsters as Constructive Union . .	6
Huge Chicago Labor Day Rally Draws 220,000 Persons	7
Labor News Notes from Around the United States	8
Taft-Hartley Act Inconsistent in Communist Provisions	10
Movies Spread Propaganda for European Immigration	11
Cincinnati Local Inaugurates Safety Campaign	12
Don't Grant Employers the Right to Sue Your Union	14
Tobin and English Shown Following Unanimous Election	16
All Other International Officers Unanimously Re-elected . . .	17
Employer Advocates Joint Action of Unions and Management . .	19
Locals Must Comply with New Law to Appear Before NLRB . . .	21
Padway Concludes Analysis of Taft-Hartley Act	22
Convention Report of President Tobin Continued	27
Bankers, Realtors, Squeeze Home Owners	Inside Back Cover

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Daniel J. Tobin, Editor

Thomas E. Flynn, Assistant Editor

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TRUSTEES

MILTON DOLL, 39 W. McMicken Ave., Cincinnati, Ohio.

JAMES R. HOFFA, 2741 Trumbull Ave., Detroit, Mich.

WILLIAM A. LEE, 220 S. Ashland Blvd., Chicago, Ill.

GENERAL EXECUTIVE BOARD

General President, DANIEL J. TOBIN, 222 E. Michigan St., Indianapolis, Ind.

General Secretary-Treasurer, JOHN F. ENGLISH, 222 E. Michigan St., Indianapolis, Ind.

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Teamsters May Leave AFL

Crisis Follows Ruling on Anti-Communist Affidavits

By DANIEL J. TOBIN

THIS International Union has complied with those two sections of the Taft-Hartley Act which require, first, that statements must be filed and signed stating that no member of the general executive board is a member of the Communist Party.

There is no serious objection to signing this statement because our constitution for the past seven years reads as follows:

"SUBVERSIVE ELEMENTS BARRED FROM MEMBERSHIP"

"Sec. 3. (a). No member of the Communist Party, nor any person who subscribes to its doctrines, shall be allowed to hold membership or be admitted to membership in any local union of the international organization. If by false statements such individual has obtained membership he shall be expelled.

"It is not necessary that the individual charged with membership in the Communist Party admit his membership in said party. If the local executive board, by majority vote, is satisfied by the evidence presented that the individual is a member of the Communist Party or any branch of the Communist Party, or subscribes to its doctrines, the local executive board shall expel such individual after he has obtained a proper trial, in accordance with our laws."

The second section of the Taft-Hartley Act requires that we file with the Secretary of Labor a copy of our financial statement, that is, our expenditures and receipts, once a year.

This is no serious hindrance to us because we send to our local unions—over one thousand in number—a copy of this financial statement not once a year, but once every quarter, or four times a year.

This financial statement embodies the

auditing of our books every six months by our International trustees who are chosen by the International Union and who are not appointed by any of the executive officers, either the president or the secretary-treasurer. They are elected to office.

In addition to this, the constitution instructs and compels the International president to employ a certified public accountant who is not a member of our union and who has no connection with our movement in any way, to go over the books of the International Union once every three months and verify all our investments and our deposits in banks. He goes personally to the vaults and to the banks in which we deposit, and checks everything in our possession.

There is no such thing as accepting the statements of the officers. Everything is checked with the banks and all our bonds must be shown to the accountant, so that the new law in this respect does not in any way inconvenience us.

The law requires that we only send to the Secretary of Labor once a year a copy of our financial statement and then send it to the local unions and then the local unions submit it to the membership if the membership so require. Or the membership can inspect it in the office of the local union.

We don't have the home addresses of all our members in the International office and it would be impossible for us to keep track of all of them, as they are continuously moving from place to place.

Now then, after complying with this law in behalf of the International, as we interpret it at this writing, the decision of Robert N. Denham, chief counsel for the National Labor Relations Board, is that, in spite of all this, I am still a member of the American Federation of Labor and the full membership of the executive council is required, under the law, to sign affidavits that they are not Communists and do not believe in or support any organization advocating overthrow of the United States government by violent or illegal methods.

Almost unanimously, the AFL executive council voted to sign such affidavits. I was among those who urged this action in order to protect the members of the Teamsters' Union as well as the members of all other unions in the American Federation of Labor.

But because the action of the executive council was not unanimous, the International Brotherhood of Teamsters and all its locals are denied the protection of the law, regardless of our effort to comply with it, according to Mr. Denham.

Apparently there is no answer except that we withdraw from the American Federation of Labor. At this time it seems to be the opinion of the majority of our executive board that we do not withdraw.

However, it is possible that under the ruling of Mr. Denham, we may be forced to disassociate ourselves from the AFL.

We have innumerable complaints from our locals, often against their employers, which require the attention of the National Labor Relations Board. If the ruling of Mr. Denham stands, we are denied any protection from the board as long as we remain in the AFL.

Also, in any election in which our

collective bargaining right is challenged by the CIO, or a company union, we could not even appear on the ballot. We would lose by default, unless the contesting union had failed to qualify under the law.

In all the past history of the American Federation of Labor and under its constitution, a majority vote of the executive council settles any question as far as the council is concerned, with the right of appeal to the convention if it is something that injures an international union.

Mr. Denham sets aside all the history of the American Federation of Labor when he says you must have a unanimous vote of the executive council stating that they are not Communists, in order to have access to the laws enacted dealing with labor and capital, especially the National Labor Relations Act.

The experience of our country with the United Nations, where the whole world is held up by the Russian representative, should show the danger in such a ruling. At any rate, unless the interpretation is modified, Mr. Denham's ruling delivers, for the first time in our history, a body blow at labor organizations in this country, especially to the American Federation of Labor.

It is a certainty that with our thousands of people suffering we must endeavor to help them as much as we can by trying to avail ourselves of the few scraps of hope left us under the Taft-Hartley law.

This whole matter, of course, will be considered by the convention of the American Federation of Labor and upon the action of the convention will depend, in my judgment, a possibility of the American Federation of Labor remaining as it is now, strong and powerful and helpful to its membership.

REPORT OF TRUSTEES

SEPTEMBER 1, 1940, TO JUNE 30, 1947

To the officers and delegates to the 15th convention of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America.

GREETINGS:

In pursuance of the laws of our International constitution, we, your trustees, desire to render our report of the records, books, vouchers and financial condition of our organization.

We have periodically audited the receipts and expenditures of all moneys received since our last convention and have found the books to be kept in a careful and systematic manner and we certify the following to be a true and correct record as of June 30, 1947:

Net worth September 1, 1940.....	\$ 6,267,558.56
Total receipts September 1, 1940 to June 30, 1947.....	22,012,600.16
Gross receipts and cash on hand June 30, 1947.....	\$28,280,158.72
Total disbursements, September 1, 1940 to June 30, 1947..	23,710,638.63
Net cash balance on hand June 30, 1947.....	\$ 4,569,520.09
Securities in safe keeping June 30, 1947.....	12,800,000.00
Net worth June 30, 1947.....	\$17,369,520.09

The net cash balance on hand June 30, 1947, is deposited and has been verified to be such as follows:

Indiana National Bank, Indianapolis, Ind.....	\$ 3,084,178.19
Union Trust Company, Indianapolis, Ind.....	1,400,000.43
Canadian Bank of Commerce, Toronto, Ont., Canada..	35,683.95
Indiana National Bank, Indianapolis, Ind.....	49,657.52

Total cash on deposit June 30, 1947.....\$ 4,569,520.09

Securities as listed herewith have been examined and found to be correct in every respect:

United States Savings Bonds.....	\$ 650,000.00
United States Treasury Bonds.....	12,050,000.00
Dominion of Canada Bonds.....	100,000.00

Total securities June 30, 1947.....\$12,800,000.00

Net worth June 30, 1947.....\$17,369,520.09

Net worth September 1, 1940.....6,267,558.56

Net gain\$11,101,961.53

Respectfully submitted,

M. DOLL
J. R. HOFFA
W. A. LEE

FINANCIAL REPORT
OF
SECRETARY-TREASURER JOHN F. ENGLISH
SEPTEMBER 1, 1940, TO JUNE 30, 1947

Net worth September 1, 1940..... \$ 6,267,558.56

RECEIPTS

Initiation tax	\$ 2,620,933.05	
Per capita tax.....	15,017,963.70	
Supplies	518,219.95	
Charters	4,680.00	
Donation refunds and miscellaneous.....	46,981.72	
Interest on investments.....	1,412,774.44	
Sale of investments.....	2,384,047.30	
Surety bond refund.....	7,000.00	22,012,600.16

DISBURSEMENTS

\$28,280,158.72

Officers' salaries	\$ 474,831.21	
Officers' expenses	116,210.38	
Organizers' salaries	1,736,185.19	
Organizers' expenses	1,020,276.22	
Organizing expenses, including donations to local unions.....	1,440,444.73	
Purchase of investments.....	15,203,491.23	
Per capita tax to affiliates:		
American Federation of Labor.....	650,433.31	
Label Trades Dept., AFL.....	20,500.18	
Building Trades Dept., AFL.....	28,275.00	
Trades and Labor Congress of Canada	4,602.80	
Workers' Education Bureau of America	3,500.00	
Attorneys' fees and disbursements.....	310,028.18	
Office employees' salaries.....	207,606.55	
Office expenses	374,154.05	
Supplies, including printing, shipping and postage	433,588.75	
INTERNATIONAL TEAMSTER	1,227,187.68	
Expenditures authorized by General Executive Board	449,263.17	
Surety bond and costs.....	10,060.00	23,710,638.63
Net cash balance June 30, 1947.....		\$ 4,569,520.09

SECURITIES

United States Savings Bonds.....	\$ 650,000.00	
United States Treasury Bonds.....	12,050,000.00	
Dominion of Canada Bonds.....	100,000.00	12,800,000.00
Net worth June 30, 1947.....		\$17,369,520.09

Gov. Warren Lauds Teamsters

One of Most Constructive Unions, He Declares

Governor EARL WARREN welcomed the delegates to the Teamsters' 15th convention on behalf of the State of California and said in part:

"I am very happy indeed to welcome you to California and to the very friendly city of San Francisco.

"We recognize in this great convention of working men from every state of the Union, from the territories of Alaska, Hawaii and Puerto Rico and from our neighbors of Canada and Mexico, a significance which transcends that of the ordinary convention.

"We recognize that we have here the representatives of the largest, one of the oldest, and one of the most constructive labor unions on this continent; an organization which is not only devoted to the principles of collective bargaining and a skill in its exercise, but which cheerfully and faithfully and forthrightly assumes all the public responsibilities that are inherent in its use.

"During the many years of its existence it has been as influential as any other group of men, either in labor or management, in implanting in the hearts and minds of the American people both by precept and by example a realization of the necessity of free labor in a free enterprise system.

"It has done as much as any other American group to demonstrate that industrial peace can best be achieved through responsible, self-reliant and self-disciplined labor unions.

"Bargaining across the table with employers for the rights of working men, it has done much to make the labor union one of our basic American institutions and without which all our knowledge, all our vaunted efficiency, all our material development could be more of a national burden than a national asset."

Governor Warren spoke of ancient civilization having similar skill and know-how in the building of the pyramids of Egypt and the aqueducts of Rome and the great wall of China, into which went not only brick, stone and mortar, but also the crushed hearts and the starved souls of the conscript labor that was used to build them.

He said those were some of the spectacles of ancient history which America and other free democratic nations of the world have sought to escape by recognizing the importance and dignity of all men and by creating a broad-based union system worthy of the name.

In conclusion Governor Warren said:

"This is a democratic process in which you are engaged. It is a democratic process which directly affects 60,000,000 workers and their families in our country alone. It is a democratic process that is entitled to success and I therefore welcome you here, and particularly that great citizen of yours, the president of your organization for the past 41 years, Daniel Tobin."

Organized labor must use every political weapon in its arsenal to defeat its unregenerate foes in the next national election. Neglect to do so would be the height of folly and invite organized labor's complete destruction through future repression legislation.—*The St. Louis Labor Tribune.*

Huge Chicago Rally

Two hundred twenty thousand persons, the greatest throng ever to attend a labor rally, overflowed Soldier Field in Chicago for a gigantic Labor Day celebration on September 1.

Inside the huge field 110,000 people crowded. Outside, another crowd of equal size gathered, despite radio announcements half an hour before the program started that the field was filled.

The *Chicago Sun* reported that it was the second largest crowd ever assembled at the huge amphitheatre, being surpassed only by the 260,000 people who turned out to see President Roosevelt during his fourth-term campaign in 1944.

The affair was sponsored by the Chicago Federation of Labor and sparked by the Teamsters as proof that labor is aroused and united as never before, despite the enactment of the Taft-Hartley Act and the control of Congress by a violently reactionary coalition of Republicans and southern Democrats.

William A. Lee, president of the Chicago federation and president of Teamsters' Local No. 734 of Chicago, presided. AFL

President William Green was the principal speaker of the day.

An elaborate program had been arranged, including outstanding circus and vaudeville acts.

Mr. Lee read a telegram from President Truman asking sincere cooperation between enlightened labor and management to bring industrial stability.

He then introduced Mayor Kennelly.





LABOR NEWS NOTES OF THE MONTH

From the Federated Press

NEW YORK—Shrinking department store sales were blamed on the rising cost of food and other essential items in a *Wall Street Journal* survey of leading retail executives in 14 cities across the nation September 8. Typical comment on consumers' failure to buy as much as formerly came from the president of a big department store in Portland, Ore. "They can't spend it if they haven't got it," he told the *Wall Street* paper. "And they haven't got it these days after they get through with rent and groceries."

WASHINGTON—In an unusual Sunday sermon here September 14, Dr. A. Powell Davies, of All Souls Unitarian Church, blasted the new style in women's long skirts as immoral. He blamed it on "greedy financial interests." The 1947 styles, he said, "are immoral because they waste the material that is desperately needed by the world's suffering people. The moronic new fashions in women's clothes will deprive the shivering people of Europe of the wool they need to keep them warm in a coalless winter."

ALLENTOWN, PA.—Phil Storch, united labor candidate, lost out by almost 17,500 votes to his Republican opponent for Congress September 9 in a special election race that mirrored the major issues of the 1948 campaign. Victor was Franklin L. Lichtenwalter, speaker of the state house of representatives. The race was held in the 8th district, heart of Republican territory, where there are 72,000 registered Republicans against 46,000 Democrats.

ABINGDON, VA.—To assure fair weighing of their milk and butterfat the dairy farmers are organizing with the help of the Midsouthern Farmers' Union, Chairman Earl Gobble reports. Union farmers in eastern Tennessee succeeded in bringing the Pet Milk Company to time through the East Tennessee Dairy Cooperative of the Tennessee Farmers' Union. The example proved contagious.

WASHINGTON—Attorney General Tom Clark, September 15, offered the public the services of U. S. attorneys in combatting high prices. He urged the public to call on them in cases of suspected price fixing in the food, clothing and housing fields.

NEW YORK—Industry's profits in the first half of 1947 doubled those in the first half of last year and were 16 per cent higher than the previous all-time record in the second six months of 1946, a National City Bank survey of profits revealed.

VANPORT, ORE.—Deliberate suppression of relief measures by the Oregon GOP legislature in order to lay the basis for passage of a sales tax was charged here by Manley Wilson, Democratic member of the legislature.

FRANKLIN, IND.—Thousands of migrant tomato pickers in Indiana fields, lured here by rosy promises, are living in squalid, fly-infested shacks, some of which formerly housed pigs. Rev. Cecil R. Parkhurst, pastor of the Franklin Memorial Church, took a leading part in investigating conditions among the county's 2,500 tomato pickers.

AUSTIN, TEX.—Holding down a job as full-time public relations director for the Texas Manufacturers' Association at the same time that he is functioning as a state senator is not inconsistent to State Senator James E. Taylor. Taylor, who is chairman of the powerful senate finance committee, represents the district in which Gov. Beauford H. Jester's home is located and is considered Jester's floor leader in the senate.

WASHINGTON—Announcing he had written to Attorney General Tom Clark in favor of strong action against price profiteers caught violating anti-trust laws, Congressman Adolph J. Sabath of Illinois said they should be imprisoned, not merely fined. He mentioned specifically the meat packers' lobby, the big dairy interests, the Chicago Board of Trade, produce exchanges and the fertilizer kings for investigation.

MINNEAPOLIS—Two united labor rallies here heard sharp denunciations of the Taft-Hartley Act from James M. Shields, who resigned as an NLRB director in protest against the new law.

NEW BRITAIN, CONN.—Ending a brief strike which had delayed for two days opening of the fall school term, AFL school teachers won a compromise pay scale providing for increases of \$200 a year, effective for one year.

MONTGOMERY, ALA.—A bill to ban the closed and union shop in Alabama was killed by the house of representatives here after it had previously refused to vote on a companion measure to outlaw mass picketing.

NEW YORK—The municipal court set what may be a national precedent here when it ruled that tenants may not be evicted from a residential building to make way for nonresidential construction.

CLEVELAND—A charge that major rail lines are eliminating competition by jointly fixing freight train schedules was hurled here by President Robert R. Young of the Chesapeake and Ohio Railway.

NEW BRUNSWICK, N. J.—A united drive by organized labor was successful here in writing into the state's new constitution a guarantee of the right to organize and bargain collectively.

DENVER—Teamsters here will appeal to the U. S. supreme court a state supreme court decision outlawing secondary boycotts and picketing in organizing drives. The state court decision, handed down in a case between the union and the Denver Milk Producers' Association, upheld key sections of the controversial state labor peace act.

NEW YORK—Denying persistent reports that he will retire from office because of ill health, Senator Robert F. Wagner of New York announced September 7 that he intends to stay in the Senate to fight for adoption of the Taft-Ellender-Wagner housing bill and repeal of the Taft-Hartley law.

CINCINNATI—Maybe Senator Robert A. Taft hasn't noticed, but the people in his home state ARE eating less. In fact, high prices are forcing some of them onto starvation diets. Authority for that is Ruth Roth, a Public Health Federation nutritionist, who said food costs are so serious here that "a lot of people simply aren't getting enough to eat and there is nothing the home economist can do for them."

CHATTANOOGA—In an attempt to end the long established practice of building trades workers who refuse to work on a job with non-union employees, the Ira Watson Company filed charges under the Taft-Hartley law against Local No. 74, United Brotherhood of Carpenters and Joiners.

PROVIDENCE—Demands for quick restoration of price controls came from unionists, veterans and housewives testifying at a congressional subcommittee's first east coast hearing on the high cost of living September 15.

McALESTER, OKLA.—The Oklahoma Federation of Labor convention here hit back at the Taft-Hartley law by voting to repeal a long-standing ban on political activities by federation officers.

MARSHALL, TEX.—Thousands of Texans and Mexicans are being prevented from leaving this state for the higher-paying cotton fields of Mississippi, Louisiana and Arkansas. Deputies of State Labor Commissioner M. B. Morgan have been posted on the state line halting trucks loaded with the migrant workers.

Law Inconsistent on Commies

Union Can't Demand Their Discharge, Even After Expulsion

By DANIEL J. TOBIN

ENDEAVORING to prove to our people how absolutely unreasonable the Taft-Hartley Act is as it is written, let me call your attention to one section of that law as interpreted to us by our attorneys from all over the country.

First they ask us (and we have complied) to sign affidavits that none of our board members are members of the Communist Party, then in another part of the act they tell us we cannot refuse to work with Communists.

In other words, we can refuse to admit a Communist into our union under our constitution and under the law. I am not sure we can expel him after he gets in. I think we can and that is the opinion of our attorneys. But after we expel him and he is working on a job with our union men under a union contract, we cannot tell the employer that we do not want to work with this Communist.

I don't know why Republican leaders and many Democrats in Congress say out of one side of their mouths, "We don't want Communists in your union" and then, out of the other side of their mouths they say, "but you must work every day with a Communist if he pays his dues or even if you expel him for that or any other reason, you cannot ask the employer to discharge him."

A Communist works every day on his political beliefs. He is constantly mouthing around amongst the other employees. He never gets irritated if a

non-Communist into whom he is pumping his poison walks away from him. That does not discourage him. He comes back the next day, backs into a few fellows eating their lunch and opens up the subject again in a clever manner.

As long as he is working he is continuously spreading his propaganda. He tells of the great things the Soviet government is doing for its people and attempts to arouse hatred of the so-called capitalistic form of government in the United States.

He will tell you of every member of the government who is connected with Wall Street and of all the other crooks and grafters that are connected with the Republican and Democratic parties. But he won't tell you there is anything wrong with Russia. He does not mention the murders and violence committed against people with the courage to even whisper disapproval of any act of the Soviet government.

This is only one of the many inconsistencies of the Taft-Hartley Act, which with one hand attempts to befuddle the minds of the people by asking labor officers to declare that they are not Communists and on the other hand compels union men, working under union shop conditions, to work side by side with those poisonous advocates of Communism even though they are not members of our union.

The OPA died after the President vetoed an impossible bill. Now the American workers, the masses of the people, the buying public must go on STRIKE. This will be accomplished by a buyers' strike, by not purchasing anything that is not essential. DON'T BUY ANYTHING YOU CAN DO WITHOUT. Also remember those congressmen and senators on ELECTION DAY.—Southern Teamster.

Movies Spread New Propaganda

Create Sentiment for Stratton Bill to Import Labor

Now that the Taft-Hartley Act has gone into effect, with the prospects of more strikes and greater unemployment, the campaign to lower the immigration bars has shifted into high gear.

The moving picture industry has sprung to the aid of other industries to pass the Stratton bill, which would admit 400,000 Europeans in defiance of existing immigration restrictions.

The movies are circulating sob sister films to arouse sympathy for the displaced persons which the Stratton bill would admit to the United States. In the United States they would then displace Americans in their homes and jobs.

The last session of Congress turned a cold ear to the highly financed lobby of the Citizens' Committee on Displaced Persons. But the campaign goes on to get action by the next session.

Incidentally, Congressman Stratton of Illinois was one of the supporters of the Taft-Hartley Act. The Stratton bill is a logical sequel to that. It would fill the jobs of workers on strike.

An interesting reaction from one who just saw the propaganda film has been received at International headquarters. It is one of the many letters indorsing our opposition to the Stratton bill.

It follows:

Dear Mr. Tobin:

I am a student of industrial relations at the University of Minnesota, so that I often find it enlightening to read such magazines as your INTERNATIONAL TEAMSTER. I find that it manages to give me a better picture of the industrial relations field when I read labor's point of view on the various problems involved in the field.

In the August, 1947, issue I read with interest your viewpoint on the pending bill, H. R. 2910, to allow European workers into this country under the guise of world interest. I must say that I am heartily in agreement with your point of view, although I must also say that I do feel rather sorry for these people. However my sympathy does not run to the removal of immigration quotas as Congressman Stratton (incidentally I am also from Illinois and knew him as a boy) proposes to do.

Now to get down to the gist of my reason for writing to you. Just last

night I attended the Varsity Theater here in Minneapolis and, lo and behold, what do I see on the screen but a short subject entitled "This is Our America"? There was a documentary film subtitled "Passport to Nowhere" which depicted the average displaced person's life in Europe.

Now I am not saying that this was a picture which was inspired by our mutual "friends," the NAM, but I recall that Eric Johnston was formerly president of the U. S. Chamber of Commerce. As you know, he now swings a lethal club in Hollywood.

Well, that is about all that I have to say on this topic. I don't know whether or not you are already aware of this film, but I thought perhaps if you were not, that you might like to learn of it. I am sure that you will recognize its potency as an aid to Mr. Stratton's legislation. Isn't it possible to bring this film to the attention of your union and others so that it will at least not go on the screen

before the nation entirely unprotested? Perhaps some pressure could be brought to bear on theater managers.

I read recently in *Time* magazine of your latest re-election as president of the International Brotherhood of Team-

sters. May I offer my belated congratulations, such as they may be? I wish you many years of continued success such as you have enjoyed in the past.

Sincerely yours,

JOHN J. O'HARA.

Cincinnati Pushes Safety Drive

Local No. 100 Creates Good Will for Truck Drivers

THE Golden Rule is the best rule of highway safety and it is being rigidly observed by the members of Local No. 100 of Cincinnati.

This was the theme of a city-wide safety campaign inaugurated by the Cincinnati truck drivers during the month of September.

Proclaimed by Mayor Carl W. Rich as "truck drivers' month," September was devoted to an intensive safety campaign by Local No. 100, which saw many of the city's employers for the first time recognize the ability of their drivers with various safe-driving awards.

The campaign brought the attention of the citizens of Cincinnati to the fact that the best and most courteous group of drivers on the streets is the membership of Local No. 100.

Immediately before the start of the drive, the local adopted a new emblem with the Golden Rule inscribed on a replica of a ruler across the bottom of a truck tire bordering the official insignia of the International.

The 4,000 members of Local No. 100 were enthusiastically back of the campaign and are greatly pleased at the splendid public reaction it aroused.

But the passing of September does not mean the end of the safe-driving campaign or the observance of the rule of highway courtesy. It will be a permanent policy of Local No. 100 and its

members, according to the campaign committee comprising Business Agents Earl G. Quigley and Earl D. Weller and Secretary-Treasurer Otto H. Frobe.

A communication signed by the trio was sent to each member of the local along with a windshield sticker bearing the new emblem of Local No. 100.

It said:

"In accordance with the wishes of our organization, as expressed in various meetings in the past few months, we are now conducting a campaign to gain recognition for our craft and to build prestige and respect for all our members both as workmen and as private citizens. This action is prompted by past adverse publicity in press, screen and radio that has resulted in a somewhat unfavorable reputation for our members as a group.

"Our plan of campaign is a simple one. We are merely telling the world in a number of ways, and proving to them by our actions, that we are regular guys—self-respecting and hard-working in a craft of which we are proud.

"As a keynote of our campaign, we have adopted our 'Rule of the Highways and Byways, and All Ways, the Golden Rule—Do Unto Others as You Would Have Others Do Unto You.' We feel that it expresses simply and sincerely the past, present and future attitude of our group as a whole toward their job,

their employer and their fellow men. We have had an emblem designed which incorporates this slogan and the regular International Teamsters' Union emblem on a background of a truck tire. By vote of the membership, this new design has been adopted by Truck Drivers' Local Union No. 100 as their permanent emblem.

"One of our means of putting our message across to the public is the attached emblem in sticker form, designed to be displayed on your vehicle. We feel that you will be willing and proud to participate in the campaign.

"Displaying it, however, is only the beginning of your part of our plan. All members who drive behind our symbol *must live up to it at all times*. Any infraction of this simple rule defeats our efforts to some extent.

"For instance, a careless word or rude phrase directed at a fellow traveler may not appear to have much significance. You will probably never see this individual again. But it may mean intangible ill will for your employer whose name appears on your vehicle, and it will add to the more or less general opinion that truck drivers as a group are discourteous."

The September campaign is the outgrowth of a protest addressed several months ago to the newspapers by Mr. Quigley. He objected strenuously to the tendency of the newspapers, movies and radio to depict truck drivers as uncouth and illiterate characters.

Mr. Quigley cited members of Local No. 100 who were family men, taxpayers and expert drivers with long records of highway safety behind them.



PLANNING SAFETY CAMPAIGN—Seated are Business Agent Earl G. Quigley of Local No. 100, Mayor Carl W. Rich of Cincinnati and Secretary-Treasurer Otto H. Frobe. Standing are Business Agent Earl D. Weller, pointing, and President George Starling.

Don't Grant Right to Sue Union

Employers Should Waive That Provision of Taft Act

By DANIEL J. TOBIN

AS STATED on another page of this issue, the International Brotherhood of Teamsters does not object to making its financial report once a year to the Secretary of Labor and, in fact, it welcomes the opportunity to state openly to the world that no member of the general executive board is a member of the Communist Party.

What we do object to are the many other impossible disrupting sections of the Taft-Hartley Act. For instance, the right of an employer to sue the International Union under almost any and all circumstances, thereby keeping us in court unnecessarily and at great loss of our energy.

About a week ago, in the western part of our country, I helped in the negotiation of a wage contract involving about 4,000 of our members. We have never had any difficulty with this group of employers until now.

We agreed on everything — wages, hours, union shop, etc., but when it came to the point of the employers agreeing not to sue the International under certain provisions of the Taft-Hartley law, they paused and stumbled and stuttered and tried to excuse themselves.

I, as general president, advised them as follows:

I have never allowed a local union, if I could possibly prevent it, to break or violate a contract.

Usually there is a provision in our contracts which calls for mediation or arbitration if there is disagreement during the life of the contract.

I stated further to the employers that, if I do everything that is humanly pos-

sible in the future as I have done in the past to compel the observance of a contract to the letter and if a few men bring about a wildcat stoppage of work in spite of the local union officers and in spite of the International officers, I refuse to sign an agreement that permits the employers to entangle us in court proceedings and bring suits against us for the violation of a contract.

The employers fully agreed with me and asked for a little time to consider it, but asked that we both sign the agreement covering everything else. I granted the time but if, when the time comes, they will not surrender that part of the Taft-Hartley law then there will be no agreement. Ford did it. The coal operators and several other large employers agreed to this.

No organization of labor in this or any other country has gone as far as the International Brotherhood of Teamsters in protecting employers under the written and signed contract during the life of the contract.

We intend to continue but we will not have employers running into court throughout this country. Even though they may not win, they can inconvenience us and cause us a great deal of expense with their legal staffs and take away our attention from the other matters developing daily between labor and business.

So I am strongly advising our people now to sign no contracts where the employer insists that he has the right to go into court if a few men with sore heads or sick stomachs on a Monday morning pull off a stoppage of work when you,

as officers of your local union, do everything in your power to return them to work and they still refuse to return.

I hold that we are not responsible for the acts of the individual of a labor union when that individual defies the rules of a union. Remember, under the Taft-Hartley Act, we cannot refuse to work with a member for anything except for non-payment of his dues. When wildcat strikers return to work we can prefer charges as we have done in the usual manner and find them guilty and expel them, but we cannot go to the employer and say we will not work with those men.

All you can do after they are expelled

is tell your membership they must continue to work with them, but, of course, the membership can refuse to fraternize with them and in every way within the law can make their employment unpleasant.

This is the kind of section in the Taft-Hartley Act that I consider unjust, and unreasonable and which I believe will cause endless trouble to the employers and ourselves during the coming year unless this section and similar sections are repealed in the next session of Congress. Such repeals should take place in the interest of peace and better understanding between business and labor.

Seek Truck That Injured Milwaukee Driver

Local No. 200 of Milwaukee is anxious to learn the identity of an over-the-road truck which struck a member of that union last March 22 as he was giving aid to a stranded motorist about 2 o'clock in the morning on the highway between Chicago and Milwaukee.

The member of Local No. 200 sustained fractures of both legs and has been unable to work since. The injured man is in serious financial difficulty because the compensation insurance

carrier has denied liability on the ground that he was acting outside the scope of his employment when injured.

To obtain any relief for this injured brother, it is necessary to identify the truck which struck him. Claim can then be made against the insurance company.

Any truck driver with any information is asked to write Secretary-Treasurer Edward C. Reilly of Local No. 200 at 1608 West National Ave., Milwaukee 4, Wis.

Restaurants Plan to Form Cooperative

Labor's plan to fight high prices by organizing consumer cooperatives is being followed by small business men who are suffering from the same economic squeeze by the monopolies that manipulate prices.

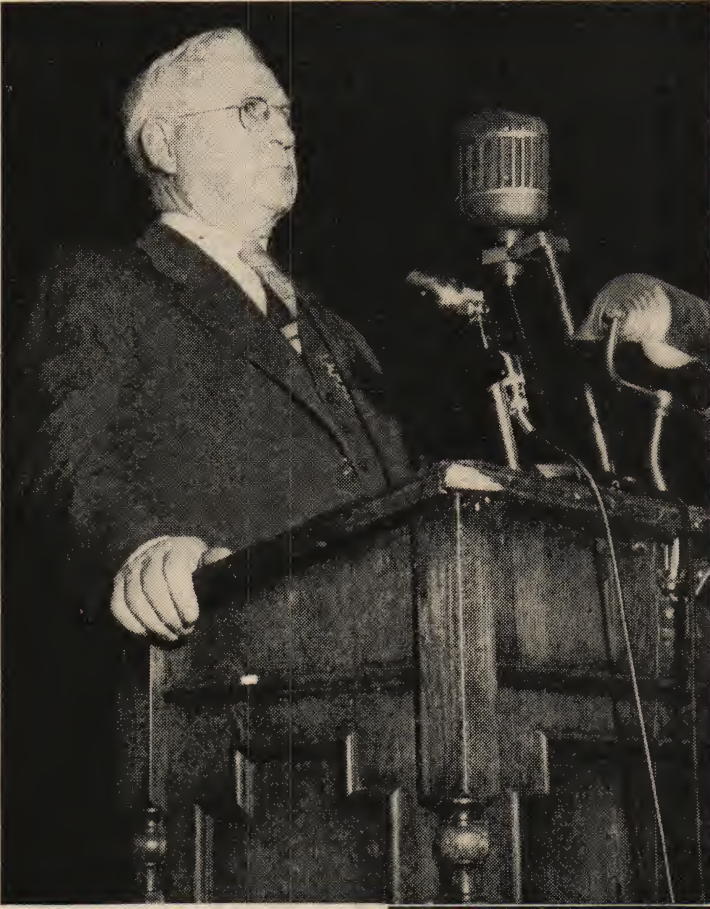
Ray Dale, executive secretary of the Washington State Restaurant Operators' Association, recently announced that to save themselves from the threat of bankruptcy, restaurant owners were

planning to organize a buying and distributive cooperative "to handle every restaurant need."

Such a program would save from 17 to 20 per cent in food costs, he estimated.

High prices in restaurants, forced by the soaring prices of raw food, have put many restaurants out of business because their customers couldn't afford to eat there any more.

All Officers Re-elected



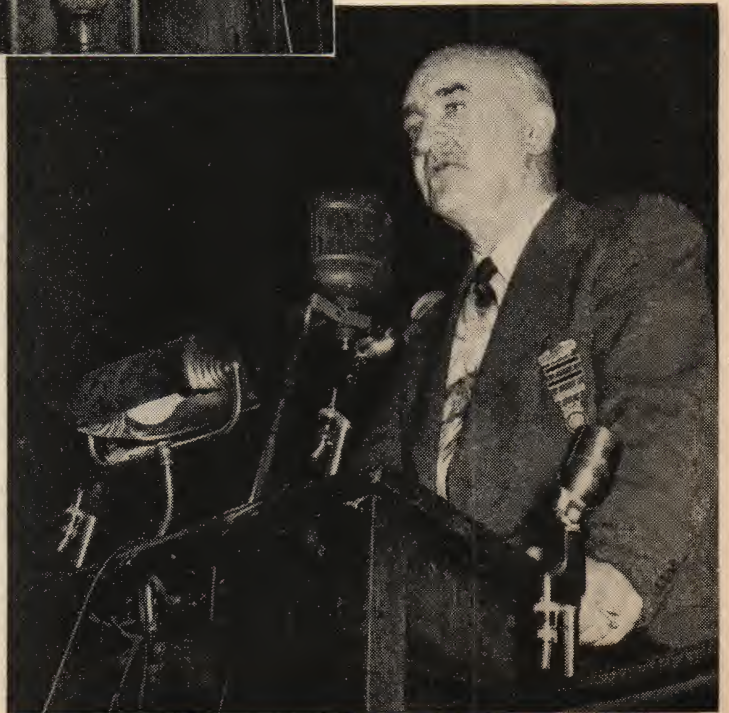
These are the first pictures taken of the International officers following their unanimous re-election by the San Francisco convention.

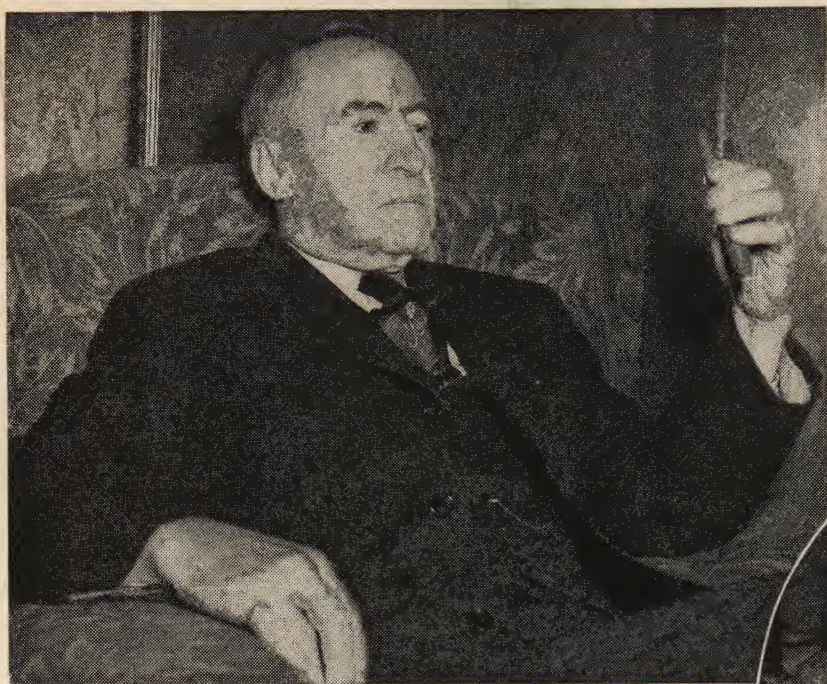
The upper picture shows President Tobin addressing the convention immediately following his election to begin his 42d year of service to the Teamsters' Union. During all those years no man has ever run against him.

During the four decades the Teamsters have developed under his leadership from a penniless little union to the largest union in the United States, with close to a million members and more than \$17,000,000 in the treasury.

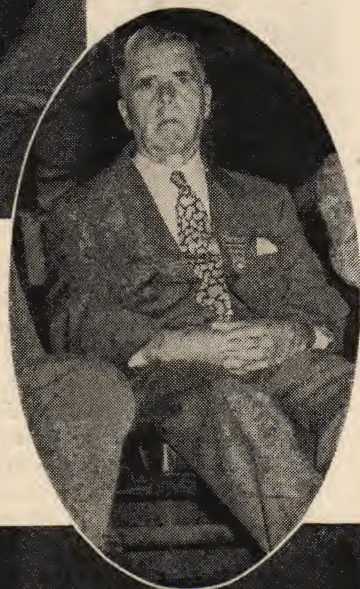
At the right is Secretary-Treasurer John F. English as he stepped to the microphone to thank the delegates for the confidence they showed in him. He was unanimously elected for a five-year term. He was originally appointed by the executive board to fill out the unexpired term of the late John M. Gillespie.

Mr. English asked the convention to reduce his salary from \$30,000 to \$20,000 per year, but the request was flatly refused. The action followed President Tobin's refusal to accept a salary raise.





At the left is Second International Vice-President John P. McLaughlin of San Francisco, photographed following his reelection.



At the right is First International Vice-President Michael J. Cashal of New York as he sat on the convention stage while the delegates roared their indorsement of him.

At the right are, left to right, Fourth Vice-President John J. Conlin of Hoboken, N. J., Third Vice-President Daniel J. Murphy of St. Louis and Fifth Vice-President Thomas J. Farrell of Cincinnati, as they sat together on the stage during the nomination and election of officers.



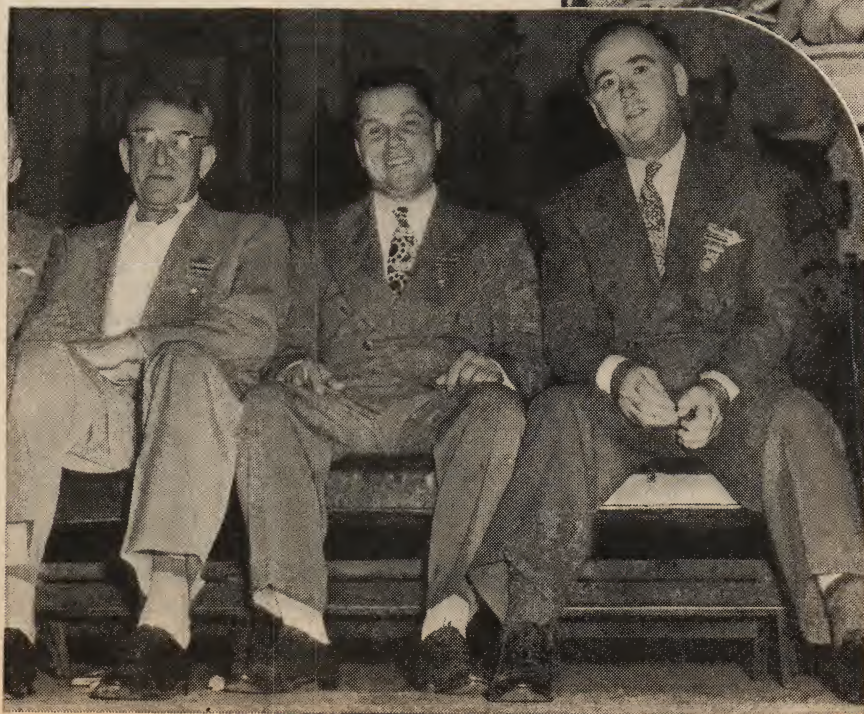


At the left are International Vice-Presidents Edward Crumbok of Philadelphia, Dave Beck of Seattle and Sidney L. Brennan of Minneapolis, seventh, sixth and eighth vice-presidents, respectively.

Below are the three International trustees, also re-elected unimously. From the left they are Milton Doll of Cincinnati, James R. Hoffa of Detroit and William A. Lee of Chicago. They are shown as they sat on the stage following their re-election by an appreciative convention on the eve of adjournment, until the next meeting in 1952. After that, conventions will be held every four years, instead of five.



Above is Ninth Vice-President John T. O'Brien of Chicago, caught by the photographer at dinner following his election at the final session of the convention.



Employer Proposes Joint Action

Scores New Law as Promoting Lawyers' Holiday

URGING cooperation of employers and the Teamsters' Union to promote the interests of the trucking industry, Philip Smith, a Chicago employer, addressed the 15th convention of the

Teamsters as a representative of the National-Local Cartage Conference.

He drew hearty applause from the delegates with his comments and analysis of labor legislation. His talk follows:

President Tobin, delegates and distinguished guests: I appear before you at the convention at the invitation of your general president to convey the greetings of the National-Local Conference to the Teamsters. For this opportunity we are deeply grateful.

I appear here also to discuss a subject which I deem to be of such importance as to merit your consideration on a national level. The National-Local Conference is an association of local truck operators from all parts of the United States. The antecedents of most local cartage operators can be traced directly to card holders in the Teamsters' Union.

I have often heard your general president say that the Teamsters' Union in its beginning was an association of owner-operators banded together to combat the efforts of organized shipping interests to deprive them of fair compensation for their cartage services.

In the aggregate, local cartage employs more members of the Teamsters' Union than any other one employer group. Before the advent of modern motor trucking and paved roads, the membership of the Teamsters' Union was in fact in its entirety employed by local carters. Through this long association stemming, as it does, from mutual sources, the cartage employer and the Teamsters have well understood the problems of the other.

The records of the Cartage Exchange of Chicago include wage agreements with Local No. 705 back to 1905, and here in San Francisco I understand their wage agreements go back to 1899.

It is generally accepted that the Teamsters' Union is the leading spirit in the trucking industry, regardless of what yardstick is used to measure the net result. No other single element or combination or association exerts such influence towards stability in our industry.

Speaking realistically, the average person outside the trucking industry thinks the industry exists solely to provide work and income for members of the Teamsters' Union. Sometimes I am inclined to agree with this viewpoint.

As one studies the successful rise of the Teamsters' Union over the past 50 years, however, a paradox of which time has given proof arises and that is this—that as the union prospered so did the master-trucker.

At the turn of the century when the Teamster was at such a low position in the economic and social field, his employer was not very far above him in the eyes of the community. Today, the employer enjoys shorter working hours, vacations, no Sunday or holiday work—all due to what? Due to the progressive insistence of the Teamsters' Union for these objectives.

The strange economic and legal position of this industry, a public utility without monopoly privileges, composed of small business men, places the union in the position of an umpire to promote fair industry practices and rules which no other instrumentality in the field has been able to accomplish.

Thus it is evident that the union is as necessary to our operations as our customers and our suppliers.

During the past six years the Teamsters' Union went "soft," so to speak. It abandoned strike action and decided to adopt economics, statistics and conference table charm, and oh, my, what a drubbing it gave the industry.

Many of the rugged individuals on our side of the table had shouted for years that the union had nothing but dumb force behind it. Believe me, when I tell you that such a charge is heard no more.

Enough of these starry-eyed economists of government who settle wage controversies on abstract formulae and arithmetical patterns. We yearn to return to the table of two-party wage negotiations or voluntary labor-management procedures, so well typified in the present National Trucking Commission.

The progress made in the improvement of working conditions and wage structures for the drivers since your last convention is unmatched by any other union movement or agency in this country or in any other country.

With such improvement in truck drivers' working conditions has come great freedom for the master truckmen. Through the enlightened pioneering of this union the drayman long ago learned that by shackling the drivers he only intensified his own slavery.

It is to the enduring credit of the International Brotherhood of Team-

sters that during this same time it kept its wartime no-strike pledge in practice as well as in words, resulting in 100 per cent effectiveness.

Now there seems to be a movement on foot, a very active movement, to relegate unions to the status of debating societies through the dubious medium of legislation.

Frankly, I am troubled about the intrusion of government into any phase of the trucking industry. Being essentially a small business man, the master drayman cannot afford to maintain the expensive and complicated legal and accounting staffs necessary to cope with the rising trend of interference in our business by all types of government agencies.

We are in business primarily for the purpose of hauling freight at a profit, not to grow wealthy by suing the unions or the government or the customers for violations of statutes of law which we or they don't understand, and which we feel are unnecessary for our successful operation.

I propose at this time, therefore, that the International Union and the local draymen make a joint effort to save us from exorbitant legal and accounting costs by exploring our total field of labor relations and forming our own labor-management committee to combat the lawyers' holiday which is seemingly just ahead of us.

This mutual undertaking, to be sure, would be no novel step for either party. We have already, by joint agreement since the end of wartime controls, voluntarily established the National Trucking Commission. The Trucking Commission has functioned successfully for the past two years in spite of dire predictions of its early demise. Its general over-all success was greater than our fondest hopes, and its cost of operation

next to nothing—a fact unparalleled in any other industry.

Similarly the master truckmen and several local unions in New York City and New Jersey have had in effect a trucking authority over which Hugh E. Sheridan is chairman. This authority stabilized the industry in that area at an extremely low cost to all parties. I propose that we develop these mutual experiences to the end that an active nation-wide labor and industry group be established to promote lower cost to both sides in solving the problems vexing all elements of our industry.

A committee of our Cartage Conference headed by Mr. Sheridan met with your International executive board in June, 1946, in an initial attempt to promote a more active participation, both on a national level and in the solution of these mutual problems.

The good feeling and understanding displayed at that meeting augured well for the future ultimate success of this endeavor.

Such problems as owner-operator status, load limits for vehicles on streets and highways, properly advising veterans who contemplate entering the trucking field as owner-operators are surely of national concern to both of us.

This proposal I now leave with you for your careful and serious consideration.

I trust that we shall be able to work it out in harmony over the forthcoming years with the same good feeling exhibited during the trying war years.

The local cartage industry and I personally fully appreciate the courtesy and good will extended to me through your general president, Dan Tobin, for the pleasure of being with you today.

Affidavits Required by NLRB

ALTHOUGH this International Union has complied with the Taft-Hartley Act, any local union having a pending case before the National Labor Relations Board or desiring to present a new case to the board must file anti-Communist affidavits from its officers with the board and the yearly financial report with the Secretary of Labor.

These blanks may be obtained from the National Labor Relations Board office in your region. Proceed to file these blanks promptly.

Our general counsel asked for additional time for unions to file and it was extended to October 31. The general president of this International has directed its general counsel to request the board to take jurisdiction over our

cases. The board is now considering this request. We will advise you of the ruling of the board. We believe a ruling will be made shortly.

Unless you have a case now pending before the board or unless you are now ready to file a new case, it is not necessary for any local union to file with the National Labor Relations Board the anti-Communist affidavit and neither is it necessary to file your yearly financial report with the Secretary of Labor unless you have a case now pending before the board or unless you expect to bring a case before the board in the future.

Remember, however, if you are about to bring a case you must comply with these provisions of the law. If in doubt about anything, see your lawyer.

The Taft-Hartley law seems to have awakened labor. The Teamster convention urged continuance of the policy of the International Teamster Journal to build political consciousness among the members.—*Northwest Teamster, Minneapolis.*

Padway Sifts Taft-Hartley Act

General Counsel Explains Provisions of New Law

Continued from Last Month

In the same way, any professional employees can get a separate election and cannot be included in a unit with non-professional employees if a majority of them vote for separate representation.

Plant guards and other plant protection employees cannot be included in a unit with other employees, whether they want to or not. These employees have to bargain by themselves and no union of plant guards can be certified if it is affiliated directly or indirectly with a union of the other employees.

Supervisors, including foremen, have no rights at all under the Taft-Hartley Act, and they cannot be included in any unit, mixed or separate. They can belong to a union, but the employer can fire them for that reason and he cannot be compelled by law to recognize or bargain with them.

Under the old Act, an employer could not file a petition for an election unless two or more unions were claiming to represent the same group of employees. The new Act permits the employer to file a petition for an election if only one union claims to represent his employees.

An entirely new procedure is authorized whereby any group of employees may claim that a union which is acting as the exclusive representative no longer has a majority. In the past, one union could contest the status of another, but now a union can be displaced by "no-union," if it loses an election brought about by the employer or by a group of employees. A union can now be "de-certified." There are, however, some checks upon new elections.

First, the NLRB must find that there

is a question concerning the majority, though its finding is final and cannot be directly challenged in the courts.

Second, no new election can be held within 12 months after an election.

Third, the NLRB can, in its discretion, rule that a contract for two or three years is a bar to any election during the life of the contract.

The board may, under certain circumstances, order an election during a strike, if, for example, the strike is over the negotiation of a new contract, and the employer, or another union, or a group of employees challenge the majority status of the striking union.

In such an economic strike, the employer is free to replace the strikers with scabs or strikebreakers. These replaced, discharged strikers have no claim for reinstatement even if the strike is called off. And by the terms of the Act, strikers who are not entitled to reinstatement cannot vote.

Under the old Act, both the replacements and the strikers voted. Thus, if the employer can fill the places of a majority of the striking employees, he or the strikebreakers can petition for a new election and the striking union can lose its bargaining rights.

The moral of this is that a union which loses a strike will also lose its legal rights under the Act. This section does not apply to a strike caused by an unfair labor practice on the part of the employer because, in such a case, all the strikers are entitled to reinstatement and are therefore eligible to vote, while no replacements can vote.

There are certain conditions which must be met by any union which wishes

to make any use of the Taft-Hartley Act. Before a union can ask the NLRB to certify it, or to hold a union-shop authorization election, or to prosecute an employer for unfair labor practices, it must file a report on its finances and internal structure, and affidavits by its officers that they are not Communists.

The reports must be filed with the secretary of labor, both by the local in the case and by any national or international organization to which the local is affiliated. The items include the constitution and by-laws, names and compensation of officers, amount of initiation fees and dues, and a description of its internal procedures for the election of officers and stewards, calling of meetings, negotiation and ratification of contracts, assessments, fines, strikes, handling of funds, benefits and expulsion of members.

The financial report must show all receipts and sources thereof, assets, liabilities, disbursements and purposes thereof. Each year the reports must be brought up to date by a supplemental statement. A copy of the financial reports must be "furnished to all the members."

These reports must be made out on forms to be prescribed by the secretary of labor. There is no provision in the Act requiring the secretary to keep any of this information confidential. If a union fails to submit this information, it is nevertheless subject to any proceedings under the Act brought by others against it. It could be certified, if another party petitioned for an election, but it could not get any other benefits and it can suffer all the penalties of the Act.

The anti-Communist affidavit must be filed with the NLRB by each officer of the local in the case and by each officer of its parent organization. The

officer must swear that he is not a Communist and that he does not believe in the overthrow of the government by force or violence.

The affidavit is valid for a year and must be renewed each year. If one officer in the local refuses to make out such an affidavit, the local is debarred from any recourse to the NLRB. If a national officer refuses to sign such an affidavit, all the locals are debarred. A false affidavit subjects the individual officer to criminal prosecution for perjury.

This explanation of the procedures and conditions for elections under the Act can be concluded with a brief reference to a few minor points, such as run-offs, consent elections and equal treatment of independent unions. If an election for certification between two or more unions and "no-union" does not result in a clear majority of those voting, a run-off is held and "no-union" is entitled to a place on the run-off ballot if it is one of the top two choices in the original election. The old NLRB placed only the two top unions on the run-off ballot.

Consent elections are still allowed, but the new NLRB cannot certify a union without a formal hearing, unless all the parties consent. The former practice of certifying on a card check or other informal investigation, where there was no substantial issue, is now prohibited.

The Act also directs the board to give equal treatment to independent unions and unions affiliated with a national organization. This means that the NLRB cannot adopt a policy of keeping "company unions" off the ballot and ordering them to be disestablished, unless it also applies the same policy to affiliated unions which have received support from the employer in a particular case.

Violations by unions or employers of the unfair labor practices established in the Taft-Hartley Act are prosecuted by the general counsel and decided by the board. Anyone can file a charge, alleging a violation, with a regional office. Under the supervision of the general counsel, the charge is investigated and if believed substantial, a complaint is issued.

A hearing is held before a trial examiner. Witnesses and records can be subpoenaed, and a board attorney acts as prosecuting attorney. The trial examiner's decision is reviewed by the board itself. It issues an order prohibiting further violations and granting reinstatement with or without back pay.

If the order is not obeyed, the board can apply to the federal courts for a mandate, or the party adversely affected can ask a federal court to set aside the board order. Final appeal is to the Supreme Court of the United States. Once a board order has been upheld by the courts, any failure to obey the order is punishable as contempt of court by fine or imprisonment.

The Taft-Hartley Act introduces a number of new features to basic administrative procedure. A charge of unfair labor practice must be filed within six months after its occurrence.

The most important new feature of the procedure for preventing unfair labor practices is that the counsel can go to the federal courts for a temporary injunction to stop any unfair labor practice.

If he or his regional officers issue a formal complaint, they can, without further hearing and pending a final decision by the board, go to the nearest federal court and ask for a temporary injunction against the alleged violator, be it union or employer. The judge, in his discretion, can find that a *prima facie* case exists and thereupon issue the

injunction. The injunction will last until the case is finally determined by the board. The Norris-LaGuardia Act is suspended in these cases.

Under the Taft-Hartley Act, injunctions against unions must be sought by the board in cases involving unlawful strikes or boycotts, which have been described above.

Full authority is delegated to the regional offices to handle these injunctions. The regional officer or attorney must immediately investigate a charge alleging an unlawful strike or boycott; he must give it priority over all other business in the office. If he has reason to believe that the charge is true, without waiting to issue a complaint, he is directed to go to the nearest federal court and ask the judge for an injunction.

The union can be enjoined by a judge in the district where the strike or boycott is being carried on or wherever it is doing business through an officer or agent. This injunction takes effect immediately and lasts until the case is decided by the board.

Where a charge grows out of a jurisdictional dispute, the board is directed "to hear and determine the dispute." Unions can avoid this intervention by establishing their own voluntary methods for settling jurisdictional disputes, within ten days after notice of a charge.

Injunctions against unlawful strikes and boycotts are to be brought by the NLRB lawyers. Thereby the government provides employers with counsel to bring injunctions against unions.

The Taft-Hartley Act also gives the employer, and anyone else who claims he is injured by an unlawful strike or boycott, the right to sue the union for damages in the federal courts.

This suit will not cost the employer or the injured party anything, for, in

addition to damages, he can recover the costs of the lawsuit, which includes lawyers' fees. So, if the NLRB cannot or will not take up a case for an employer, he can go to court himself.

While he cannot, like the board, get an injunction, he can collect damages. He can sue the union where the strike or boycott is taking place, or wherever the union is doing business through an officer or official agent. The union can be held liable for the conduct of any agent even if the union did not "actually authorize or subsequently ratify" his actions. One limitation is that if any damages are awarded, they can only be collected from the union and not from the individual officers or members.

The breach of a contract between a union and an employer is not an unfair labor practice. The contract is, however, enforceable by the union or the employer by a suit for damages in the federal courts.

This section of the Taft-Hartley Act does not change in any way the rights and duties of parties to a contract. It does not authorize injunctions to enforce contracts. But the Act does make certain legal procedural changes.

It opens the federal courts to such suits where before most of them had to be brought in the state courts. And like the suit for damages for unlawful strikes or boycotts, the suit can be brought wherever the union is doing business through officers or official agents.

On the other hand, while it is hard to limit the liability of a union for unlawful strikes or boycotts, a contract can completely control the liability of the parties to it. For example, a contractual provision for the arbitration of all disputes would preclude a suit in court for breach of the contract unless the entire contract were repudiated by one of the parties.

Unfair labor practices are risky; all of them can be enjoined, some very quickly, and the union may have to pay damages. A breach of contract may likewise bring on a lawsuit. But payments of money or anything of value by employers to unions or to union representatives, except as permitted by the Act, are absolutely illegal.

Both the employer making the payment and the union officer or agent receiving it are criminally liable and can be fined \$10,000 and given a year in jail. Violations can also be enjoined. The Act expressly excepts any payments made to a union by an employer under a court judgment or an arbitration award, or in settlement of a grievance.

Its two most important applications are to the check-off and union-employer benefit funds. These are permitted under certain specified conditions. The legal check-off has already been explained. The Act does not apply to any benefit scheme financed solely by the union and its membership.

Nor does it apply to any plan administered solely by the employer. It does not apply to benefits paid by the employer directly to individual employees, such as sick or vacation pay or insurance premiums. The requirements applicable to joint union-employer schemes are technical and any union administering a benefit fund to which the employer contributes will need technical advice.

The Taft-Hartley Act makes illegal any "contributions or expenditures" by a union in connection with primary and general elections for President, senators or congressmen. A violation is a criminal offense.

Senator Taft has claimed that the prohibition prevents a union journal from commenting on political issues if the journal is financed from regular

union dues. This interpretation, we believe, is unconstitutional. Union officers and representatives have a right to express their opinions, particularly on political matters.

In 1944, Congress prohibited unions from making political contributions in connection with general elections. The Taft-Hartley Act extends this ban to include "expenditures" and also to include primary elections.

"Expenditures" can only mean, constitutionally, payments made in behalf of a candidate for political literature, meetings or broadcasts.

It does not apply to union literature, meetings or broadcasts which express political opinions of the union and its members.

"Federal Mediation and Conciliation Service" is established as an independent agency. This service takes the place of the old "United States Conciliation Service" of the Department of Labor.

Under the amended National Labor Relations Act, parties to an existing contract must give notice of any dispute over a new contract to the service. The conciliators, however, are not given any legal powers and they still operate on an entirely voluntary basis. They are to be aided by a special panel of twelve members, six from management and six from labor. These men are to assist the service "particularly with reference to controversies affecting the general welfare of the country."

The President of the United States may establish a fact-finding board, delay any strike action for 80 days, and require a membership vote on the employer's last offer in any strike or threatened strike which he believes creates a national emergency. The board can subpoena witnesses and records.

At first, the board simply reports the

facts to the President without any recommendations.

If the dispute continues, the President may direct the attorney general to secure an injunction against the strike or threatened strike. For the next 60 days, the fact-finding board tries again to settle the dispute.

If it fails, it again reports the facts and this time its settlement efforts as well, to the President, together with the employer's last offer.

Within 15 days, the NLRB must hold an election among the employees of "each employer involved in the dispute" to discover if they would like to accept their employer's last offer.

The results of the election do not bind anyone; on the contrary, within five days after the election, regardless of its results, the injunction must be dissolved.

The strike can be resumed or the threatened strike can be called. In that event, the President submits a full report and recommendations to Congress. The total elapsed time is 80 days. Under the Taft-Hartley Act, it will be recalled, a union must also give 60 days notice if it wishes to change an existing contract, but this notice can be given during the contract.

The "national emergency" provisions can add 80 days delay beyond the termination of the contract and pile up all the public pressure the government is capable of mustering. The election on the employer's last offer will probably operate like the Smith-Connally strike votes.

Government employees are prohibited from striking under penalty of immediate discharge, forfeiture of civil service status, and a three-year blacklisting for any federal employment. This ban includes employees of any wholly-owned government corporation.

Tobin Reports to Membership

Convention Approves Policies of International

Continued from Last Month

Poverty and slavery is even worse now in some of those countries than it was 50 or 70 years ago. Why? Because of the fact that monsters were allowed to arise and that industry and capital aided and abetted those monsters, as has been disclosed in the trials of some of the former German industrialists, for the sole purpose of destroying the masses of the working people of their country.

But the serpent turned and eventually destroyed those same industrialists and multi-millionaires who had wrung their millions from the blood and sweat of the toilers. Do you think we are not in a small way experiencing those things now in this country? Every large institution is either directly or indirectly furnishing almost unlimited funds for the payment and expense of clever lobbyists who contact your congressmen and your senators to legislate against labor.

You, my friends, representing this great organization, cannot stand aside. You must get acquainted with the real facts. You must help to make every sacrifice necessary to prevent the destruction of all that has made men and women free, really free, by giving them a chance to live as human beings in this great country of ours.

Great work was done by labor during the years of war. Because of love of our country we kept on working and we produced the necessary implements of war, not only to protect our own country, but to furnish those implements of war to every country that was lined up with us; and thereby saved not only our

own United States, but we saved civilization from almost total destruction.

That is all forgotten now. The politicians have no memory.

Our journal, of which I have been editor since my inception into office, has had an outstanding place in the literature of the nation. We are now mailing around 750,000 copies to the homes of our members free of charge. The education that we endeavor to convey through its columns has been quite helpful, not only to our members, but to their wives and other members of their families.

Also, every public educational institution receives the journal each month. Libraries that fail to receive it write for the missing copies. Every congressman and senator and all other outstanding public men have it mailed to their offices or their homes.

It has been quite helpful to the International Union and to the general membership in creating a better understanding of our aims and purposes and ideals.

The general public are not entirely to be blamed for their ignorance and their obstinacy and their prejudices against the labor movement. There are hundreds of special columnists and special writers, well paid, doing nothing else except writing against labor, whose instructions are: "Say nothing good about labor even though you don't believe what you write."

We cannot possibly compete with all this opposition, but we do the best we can and at least we have accomplished something by acquainting our own membership, thousands of whom never attend meetings, with the actual facts

going on in our American life and with the endeavor that has been made to better the conditions of our membership. This information we can convey only through the columns of our journal.

The expense of this monthly publication, because of the increased free circulation, has almost doubled in the last seven years. Paper has increased, labor in all printing establishments has almost doubled. The expense of everything has increased beyond the understanding of many people in the community, but in no department has the cost of operation and production and distribution increased more than it has in printing and publishing. Consequently, a substantial part of your per capita tax of 30 cents a month has had to be devoted to meet these extreme costs.

You must consider all this in legislating here and, I repeat, no matter who your officers are, you must give them the means to continue the progress that we have made over the past 20 years.

We are also confronted with extremely expensive legal proceedings. In the foregoing paragraphs of this report I briefly referred to this item. Now I must explain that under present conditions, as they appear to me, our legal expenses locally and nationally are bound to increase. Employers and institutions of employers can harass us more and more as time goes on. Even though they have no case, they can put you through the expense of defending yourself against unjust charges and lawsuits.

We have received splendid services from our attorneys in Washington, headed by Mr. Padway, and from I. E. Goldberg in Milwaukee (lately deceased), and from other lawyers. But the time is coming when we may have to do as other organizations have done—set up our own legal department, em-

ploy two or three brilliant lawyers by the year, who will travel through the country and help our local unions and local lawyers.

And then, when we are engaged in an outstanding national case, such as the "Battle of the Statler," hire some of the top legal men of the country. I merely mention those matters to give you some understanding of what the future holds, and what you must do to protect yourselves.

Some organizations or districts have, perhaps, the idea that they can carry on themselves. That is most dangerous. It has been tried, unfortunately, in this organization, in the past.

When I became president we had three or four independent or seceding unions. They left the International for some cause or another, imaginary in most cases, but at any rate they weakened the International Union. After years they found their mistake and came back to the International. From time to time rebellion has sprung up, the last one after our convention in Cleveland 27 years ago, but in each instance I blame individual officers, not the general membership.

After a short time they found themselves practically destroyed, and those that were left returned to the International, and were received back by me and the other officers. The division weakened the union and destroyed the local leaders. May I never live to see any set of officers who will again attempt, because of their foolish ambitions, to divide this International Union. The only ones they will divide and destroy eventually will be themselves.

Unity and solidarity in one united front is the only salvation for the labor movement and for this International Union. As sure as there is a sun that rises and sets in the heavens, a house

divided against itself will surely fall and those responsible for that division will have to answer to the coming generations for the crimes they have committed against those who entrusted them with their welfare.

If trade unionists of understanding, especially members of our organization, desire any greater proof of the evils that can come to labor as a whole or to any International Union as a result of division, I want them to turn their eyes toward the division that now exists in the labor movement of the United States and Canada.

I have repeatedly said in the columns of our journal that there was no need of the division of labor. I again repeat that the officers of the labor movement were responsible for that division and not the general membership.

Everything that has been accomplished by the Congress of Industrial Organizations could have been done without dividing the home and the family of labor. Nothing could have been done until labor, with its influence, succeeded in electing a courageous liberal as President of the United States in 1932. Through his aid, and the aid of understanding liberal Americans who were in the Congress of the United States, labor was successful in having enacted the National Labor Relations Act.

This Act struck down from the limbs of the toilers the shackles that were placed on the body of labor in the years before. When that law was enacted it outlawed the company union, which was honeycombed with detectives, gunmen and professional plug-uglies who acted as spies and were capable of committing any crime ordered by the employers. Through the company union no worker could express his free opinions.

Before the enactment of the National

Labor Relations Law, organizers were beaten up and driven out of certain states. Some were murdered. The Wagner Act gave unions and their representatives their first real charter to act as free Americans in organizing the workers of our country.

Until that law was enacted, the representatives of the CIO could no more walk into the steel plants, or automobile plants, or other great industries, than they could stop the ebb and flow of the ocean. We hear some of them now say that they have succeeded in organizing millions of workers who were never organized by the parent body. This is not only untrue, but such statements are unjust.

The Teamsters have more than doubled their membership since 1933 as a result of the National Labor Relations Act. The division did not take place in labor until after the passage of the Wagner Act, and until after the inauguration into office of that great statesman, in March, 1933, Franklin Delano Roosevelt.

To endeavor to measure the injury done to the working people of America by the division in labor is almost impossible. It is safe to say, however, that the greater part of this anti-labor legislation now being attempted, much of which will be enacted into law within the next few years, is resulting from the division in labor.

If organized labor, with its 13 or 14 million members, was under one banner and was united in its efforts at the polls, no power on earth could prevent it from electing to office men who would give justice, not special favors, to labor. Your International Union, through its general president, has advocated and endeavored to promote consolidation.

Year after year and month after month, your monthly publication, THE

INTERNATIONAL TEAMSTER, has pointed out the weakness of labor because of the division existing, and has implored the leaders of labor to sacrifice, if necessary, in order to come together.

A few months ago there was held in the city of Washington a conference between the representatives of the two great organizations of labor. This conference was brought about by an invitation from the AFL executive council to the representatives of the CIO. The conference lasted two days. Some progress was made, but not sufficient progress to either satisfy the needs existing or to give encouragement in the immediate future to the men and women who constitute the general membership of organized labor.

Understanding the great danger confronting labor, the executive council completely reversed itself and made a proposition which in substance was that all those in the CIO return with their charters and their membership as they are, become affiliated with the federation immediately and that any troubles on jurisdiction be taken up after the affiliation.

This was the same proposition exactly that was offered by the CIO some five years ago and which was refused by the American Federation of Labor. The CIO representatives turned down this proposition and offered in answer a proposition of theirs which was as follows: that we begin to negotiate now and draw lines of demarcation setting up jurisdiction, adjusting differences, before any of the unions of the CIO would affiliate with the AFL.

The AFL representatives believed that that would not bring us immediate relief nor would it cement our forces to join unitedly in the general elections of 1948. As the case stands now, we are

no nearer unity than before. A crime against the workers! There are to be other conferences and there may be a glimmering hope that consolidation may take place within the next 18 months. Of course, it must be understood by the general membership that the recommendations and propositions of the committee representing the AFL would have to be approved by a majority of the membership of the executive council. I repeat, that division within labor is mainly responsible for the attacks that are now made on labor.

Even if we succeeded in final amalgamation after we paid an enormous price, it would take us years to repeal the unjust legislation. Our only hope is to get together in one large union.

Your International representatives have made considerable progress in jurisdictional misunderstandings between our membership and the membership of other organizations. Since your last convention, we have reached two outstanding agreements which, at least, have brought peace between the two organizations in recent years. While those agreements are not perfect, they have helped to prevent stoppages of work and other unpleasant conditions between the International Brotherhood of Teamsters and the International Union of Operating Engineers.

After years of endeavoring to reach a working understanding with the Laborers' Union, an organization of 350,000 members with whom we come in contact daily in our several employments, we signed an agreement which will prevent the serious misunderstandings that have prevailed in the past.

Jurisdictional disputes have arisen, many in the building and construction industry, because of the complete change in industry due to substitutes now used in building and construction,

and due to the great genius of technical engineers.

We are bitterly opposed to stoppages of work because of jurisdictional disputes, but, also, we are opposed to legislation endeavoring to step in and interfere with labor in matters of this kind. We know from years of experience that the only way those disputes will be settled will be by mutual understanding and mutual agreements, backed up by the full prestige and honor of the representatives of the organizations in dispute.

Under no circumstances shall we permit a stoppage of work by any local union because of a jurisdictional dispute with a local union of this International.

This convention should emphatically state, or provide in its laws, that any local union causing a stoppage of work over such a circumstance should upon trial be expelled from the International Union. There is no greater sin that can be committed against this International Union, or there is nothing that tends to bring greater disgrace on the International Union, than a jurisdictional dispute between two local unions, where one union brings about a stoppage of work without going through all the courts of the organization.

If our representatives would only fully understand that the jurisdiction of each local union is so broad, so far reaching, that there is membership enough for all and that there are fields covered by our jurisdiction in many districts of the country that are totally unorganized, and that instead of wrangling amongst ourselves for a few members, we should devote our attention to the organizing of the unorganized coming under our charter rights.

I cannot refrain from stating that because of the inefficiency or lack of

influence of some officers in our local unions who allowed the rank and file to commit acts which were distinctly against the constitution, we have been vilified and abused by the enemies of labor, even though those acts were only the acts of a very small percentage of our membership.

Strikes in which the so-called strikers take control, as happened in certain portions of our country, recognize no law, totally ignore the constitution and their duty to our union and their officers are of greater danger to the labor movement than even the bitterness of our enemies in the state and national legislatures.

We can overcome our employers when they are unjust and dishonest. We can defeat or replace our enemies who hold political offices. But we can't explain to the public why a small minority in any district or in any local takes hold of the reins and ignores every rule of the union, and every rule of decency and common sense, and causes signed contracts to be broken; forces other good trade unionists into idleness and, in more than one instance, gives aid and encouragement to our enemies to proceed against the locals and officers in the courts.

It is impossible for me as your president to explain to you the injury done us in the eyes of the public when our members take the law in their own hands and do things for which there is no answer or no excuse. I hope and trust that this convention will legislate so that such actions will not prevail in the future, and that the constitution will be amended to provide for immediate expulsion of the officers, the locals or the individuals who are guilty of such offenses, which are crimes committed against the whole body of the International.

(To be concluded in the November issue)

S. C. Governor Blisters Landlords

The governor of South Carolina, suh, is a Communist. He's for rent control!

The Communist charge was thrown at Gov. J. Strom Thurmond after he blasted "profiteering real estate owners" in a welcoming message sent to a regional meeting of landlords. Said the governor:

"I will do everything in my power to help rent control until some measure of sanity returns to profiteering real estate owners."

The governor was promptly accused of sounding like a Communist and insulting his audience. President Morgan L. Fitch of the National Association of Real Estate Boards said angrily:

"It is amazing to me to find here in the tradition-rich state of South Carolina . . . the chief executive making a speech based upon an apparent release from the New York office of the CIO or the international offices of the Communist party."

The South Carolina Association of Real Estate Boards was equally dis-

turbed. In a public apology to the convention, it said: "The governor . . . failed utterly and miserably adequately to welcome with due courtesy . . . visitors to our state."

"I anticipated that reaction," said Governor Thurmond. "I have been outraged by the housing situation in South Carolina. I felt it my duty as governor to express my feelings openly and clearly. I chose to make my feelings public at this meeting of real estate people."

Recalling how landlords in almost every state, including South Carolina, refused to rent vacant apartments and houses to millions of needy war veterans and workers in a strike against OPA rent ceilings, Governor Thurmond asked the real estate men:

"Were those owners Christians? I would call those who seek to profit from misery—especially the misery of those to whom they owe their property if not their lives—something else. I would call them gluttonous hogs." — *Federated Press*.

Make Union Meetings Interesting to Members

There is a tendency on the part of local union officers to place the blame for a lack of attendance at meetings upon the members, and within limits it perhaps belongs there. But this is stating only half the truth. The fault just as frequently lies with the officers.

It's no excuse to say that the members are not interested in meetings. Officers should look upon it as their responsibility to work up an interest among the members in meetings. This can be done if the job is undertaken in the proper manner.

Members can't be expected to continue attendance if the business at meetings is confined to a monotonous reading of dry and uninteresting reports without any explanation from the officers of the practical meaning of such reports.

Union meetings should be made to promote union education. There can be no education without interest. If union meetings are to serve their purpose, they must be so conducted as to arouse the members' interest. — *Catering Industry Employee*.

Banks Squeeze Home Owners

MORE American homes are mortgaged today than in 1930, the year following the stock market crash that ushered in the great depression.

The total mortgages on more than 2,000,000 homes approximate the colossal sum of eight billion dollars. Never before have American homes been in hock to that extent, not even in the days of hunger marches, unemployment riots, soup kitchens and wholesale misery.

If the owners of the mortgaged homes had secure incomes, this would not be a dangerous situation. But they have not. Most of them bought their homes at prices they could not afford to pay. As prices continue to rise, the burden of excessive payments becomes too heavy to bear.

Thousands will default on their payments and then the banks, the insurance companies and the real estate interests will laugh and seize the property.

That's free enterprise, as engineered by the financial interests.

We will hear a lot of sweet sermons from these financiers on the necessity for frugality and the sin of living beyond one's means. They will say that the seizure of homes is the result of improvidence by the purchasers. They paid too much for their property.

And why did they pay too much? Because they had to. The banks, the insurance companies and the real estate interests conspired against them.

These interests calculatingly created the present housing shortage for their own profit. They fought every move for federal housing projects. They opposed every effort to control the cost of building materials.

They wanted to continue and intensify the hardships suffered by millions of families. And they succeeded, thanks to a servile and evil Congress.

The consequence is that the country needs some 12,000,000 new homes. By delaying construction and creating a scarcity, prices were kept up and homeless people forced to bid against each other.

And what does the successful bidder get? A house at a price that he can't afford to pay and that he will soon lose as inflation spirals higher and higher.

What will the banks and insurance companies and real estate interests do with all these houses when they foreclose the mortgages? They plan to sell them again and foreclose them again under the same old racket.

When these families lose their homes we predict that unpleasant things will be happening in this country. We may have a different kind of a Congress, elected by voters who have had enough of organized grand larceny by the financiers.

By that time we may be confiscating the property of the financiers.

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